



DIVISION

2006 NOV 16 PM 4:07  
CANCELLED

DEP2REF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

2006 NOV 17 PM 4:07

Akihiro ISHIGAMI et al.

: Mail Stop: ACCOUNTING DIVISION  
REFUND BRANCH

Serial No. 10/849,013

Filed May 20, 2004

: Attorney Docket No. 2004\_0728A

AIR INTAKE SYSTEM AND FORKLIFT EQUIPPED WITH IT

REQUEST FOR REFUND

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a refund of \$180.00 charged to Deposit Account No. 23-0975 on April 5, 2006. The fee code indicates the charge is for submission of an Information Disclosure Statement (IDS). Applicants assert the charge is incorrect.

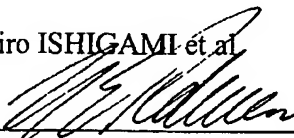
After reviewing the application file, it can be assumed this charge is connected to the IDS submitted on March 28, 2006. A copy is enclosed for reference. That document did not require a fee because we were only requesting consideration of additional references that had been previously cited in foreign patent office communications. It is apparent that the improper charge incurred to our account was the result of PTO oversight.

Kindly credit \$180.00 to the deposit account of undersigned, no. 23-0975. If there are any questions, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246.

Respectfully submitted,

Akihiro ISHIGAMI et al

By

  
Nils E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

NEP/dsr

WENDEROTH, LIND & PONACK, L.L.P.

2033 K Street, N.W., Suite 800

Washington, D.C. 20006-1021

Facsimile (202) 721-8250

November 16, 2006

2004\_0728A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7122**  
Akihiro ISHIGAMI et al. : Attorney Docket No. 2004-0728A  
Serial No. 10/849,013 : Group Art Unit 3747  
Filed May 20, 2004 : Examiner Noah P. Kamen  
**AIR INTAKE SYSTEM AND FORKLIFT** : **MAIL STOP: AMENDMENT**  
**EQUIPPED WITH IT**

**INFORMATION DISCLOSURE STATEMENT**

**COPY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application PCT/\_\_\_\_\_; and/or
- ☐ each reference previously cited in prior parent application Serial No. \_\_\_\_\_.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☒ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☒ the certification of paragraph 2 below is provided, or

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☒ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

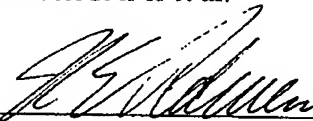
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☒ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.
6. ☒ Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Akihiro ISHIGAMI et al.

By

  
Nils E. Pedersen  
Registration No. 33,145  
Attorney for Applicants

NEP/kg  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
March 28, 2006

## INFORMATION DISCLOSURE STATEMENT

\*FORM PTO 1449 (modified)

ATTY DOCKET NO.  
2004-0728ASERIAL NO.  
10/849,013U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEAPPLICANT  
Akihiro ISHIGAMI et al.FILING DATE  
May 20, 2004GROUP  
3747LIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: March 28, 2006

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,900,595	5/1999	Akima et al.			
	AB	6,067,953	5/2000	Bloomer			
	AC	2001/0035096	11/2001	Stuart			
	AD	4,378,945	4/1983	Trautman			
	AE	4,020,915	5/1977	Darnell et al.			
	AF	5,865,863	2/1999	DeSousa et al.			
	AG	6,098,586	8/2000	Bloomer			
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	0 896 148 A2	2/1999	EP				
	AK	0 978 646 A2	2/2000	EP				
	AL	195 46 993 A1	7/1996	DE				
	AM							
	AN							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED

XAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.

United States Patent and Trademark Office  
- Sales Receipt -

04/05/2006 DPOLLARD 00000001 230975 10849013

01 EC:1806 180.00 DA

Adjustment date: 11/24/2006 SDENB0B1  
04/05/2006 DPOLLARD 00000001 230975 10849013  
01 EC:1806 180.00 CR